

a foreign product, but was a domestic product, to wit, an article produced in the United States of America. Misbranding was alleged for the further reason that it was a mixture composed in part of cottonseed oil or cottonseed oil and peanut oil, as the case might be, prepared in imitation of olive oil and was offered for sale and sold under the distinctive name of another article, to wit, olive oil, and for the further reason that the said statements, designs, and devices purported the article to be a foreign product when not so. Misbranding was alleged with respect to the Miguel Moreno Moncayo olive oil and the Italia Brand olive oil involved in the consignment of February 1, 1919, into Georgia, for the further reason that it was falsely branded as to the country in which it was manufactured and produced in that it was branded as manufactured and produced in the Kingdom of Spain or Italy, as the case might be, whereas it was manufactured and produced in the United States of America. Misbranding was alleged with respect to the consignment of Italia Brand olive oil of March 27, 1919, into New Jersey, for the reason that the statement, to wit, "Net Contents 1/8 Gall," borne on the cans containing the article, regarding the article, was false and misleading in that it represented that each of the said cans contained $\frac{1}{8}$ gallon net of the said article, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that each of the said cans contained $\frac{1}{8}$ gallon net of the article, whereas, in truth and in fact, each of the said cans did not contain $\frac{1}{8}$ gallon but did contain a less amount. Misbranding was alleged for the further reason that the said article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package. Misbranding of both consignments of the product labeled "Grecco" was alleged for the reason that the statement, to wit, "Grecco," borne on the cans containing the article, regarding the article and the ingredients and substances contained therein, was false and misleading in that it represented that the said article was Greek olive oil, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was Greek olive oil, whereas, in truth and in fact, it was not Greek olive oil but was a mixture composed in large part of cottonseed oil.

On June 28, 1921, the defendants entered pleas of nolo contendere to the information, and the court imposed a fine of \$100.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9769. Adulteration and misbranding of alleged cider vinegar. U. S. * * * v. 26 Barrels of Alleged Cider Vinegar. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 12916. I. S. No. 14477-r. S. No. E-2318.)

On June 14, 1920, the United States attorney for the Western District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 26 barrels of alleged cider vinegar, remaining unsold in the original unbroken packages at Springville, N. Y., consigned by the National Vinegar Co., St. Louis, Mo., alleging that the article had been shipped from Butler, Ind., on or about March 16, 1920, and transported from the State of Indiana into the State of New York, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that a product made from corn sugar had been mixed and packed with, and substituted wholly or in part for, cider vinegar.

Misbranding was alleged in substance for the reason that the statement "Cider Vinegar" borne on the barrels containing the article was false and

misleading in that it represented the said article to be cider vinegar, and for the further reason that the barrels were labeled as aforesaid so as to deceive and mislead the purchaser into the belief that the said article was cider vinegar, whereas, in truth and in fact, it was not cider vinegar but was composed wholly or in part of a product made from corn sugar. Misbranding was alleged for the further reason that the article was an imitation of, and was offered for sale under the distinctive name of, another article.

On September 13, 1920, the National Vinegar Co., St. Louis, Mo., claimant, having admitted the allegations of the libel and having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$800, in conformity with section 10 of the act, conditioned in part that the claimant relabel the said product in a manner satisfactory to this department.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9770. Adulteration of canned salmon. U. S. * * * v. 998 Cases of Uncle Salmon Salmon. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13114. I. S. No. 2380-t. S. No. C-2058.)

On or about July 27, 1920, the United States attorney for the Southern District of Mississippi, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 998 cases of canned salmon, remaining in the original unbroken packages at Meridian, Miss., alleging that the article had been shipped by the Cascade Packing Co., Anacortes, Wash., on or about June 8, 1920, and transported from the State of Washington into the State of Mississippi, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Uncle Salmon Brand Puget Sound Chum Salmon. Packed by Cascade Packing Company, Anacortes, Wash."

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid animal substance.

On September 14, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and on December 20, 1920, it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9771. Misbranding of Madame Dean female pills. U. S. * * * v. 24 Packages, More or Less, of * * * Madame Dean Female Pills. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13284. Inv. No. 23563. S. No. C-2439.)

On August 30, 1920, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 12 packages, more or less, single strength, and 12 packages, more or less, double strength, Madame Dean female pills, remaining in the original unbroken packages at St. Joseph, Mo., alleging that the article had been shipped by Martin Rudy, Lancaster, Pa., on or about September 5, 1919, and transported from the State of Pennsylvania into the State of Missouri, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Box and wrapper) "* * * Female Pills * * * give relief in Female Disorders of the menstrual functions. * * * for Painful, Irregular and Scanty Menstruation"; (booklet) "* * * irregular, prolonged, or suppressed menstruation. * * * Female Pills afford re-